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CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

MATTHEW ANDREW GARCES, §

*Plaintiff,* §

v. §

Nick Doe (Store Manager/Owner), §  
Metro by T-Mobile Corporate §  
Entity, and Metro by T-Mobile §  
LLC, §

*Defendants.* §

SA 25CA0578 FB

Case No: \_\_\_\_\_

**COMPLAINT FOR CIVIL RIGHTS VIOLATIONS, INTENTIONAL**  
**INFLICTION OF EMOTIONAL DISTRESS, DEFAMATION, INVASION**  
**OF PRIVACY, AND AMERICANS WITH DISABILITIES ACT**  
**VIOLATIONS**

In this action, Plaintiff alleges that Defendant, Nick, Metro PCS Store Manager/Owner, by committing a verbal assault against a disabled registered nurse diagnosed with PTSD in May of 2020, in violation with claims arising under the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq. has caused severe emotional distress and gross violation of rights.

### **JURISDICTION AND VENUE**

1. Jurisdiction is proper under 28 U.S.C. § 1332 (diversity) and federal question (Americans with Disabilities Act of 1990 claims).
2. Venue is proper under 28 U.S.C. § 1391(b) as the events occurred in San Antonio, Texas.

### **PARTIES**

3. Plaintiff, Matthew Andrew Garces, is a resident of San Antonio, Texas, and a customer of Metro PCS by T-Mobile.
4. Defendant, Nick Doe, is the manager and/or owner of the Metro by T-Mobile store located at 12035 Perrin Beitel Rd, San Antonio, TX 78217, and acted within the scope of employment during the incident.
5. Defendant Metro by T-Mobile Corporate Entity is a Washington-based corporation conducting business in Texas, headquartered at 12920 SE 38th Street, Bellevue, WA 98006.

### **FACTUAL ALLEGATIONS**

6. On May 24, 2025, Plaintiff purchased a WiFi modem from Defendant's store, despite already owning one purchased a couple of years ago.

7. On May 26, 2025, Plaintiff attempted to return the modem due to its malfunctioning at Plaintiff's apartment, prompting Defendant Nick Doe to:

- Scream in Plaintiff's face, calling him a "broke bitch" and accusing him of "living off his taxpayer dollars."
- Falsely claimed Plaintiff "smelled of urine" and that his service animal smelled of urine as well. He also made a false accusation stating Plaintiff's PTSD Service dog urinated in the store.
- Threatened to call 911 and have charges pressed against Plaintiff without justification.
- Follow Plaintiff to his vehicle, photographed his license plate, and escalated harassment.

8. Plaintiff's service animal was present and properly identified; no misconduct occurred.

9. On May 26, 2025, at 3:07 PM CST, Plaintiff filed a police report (SAPD-2025-0729393) and requested store footage to validate his claims.

10. Metro by T-Mobile supervisor "Rahcil" (ID 500789) refused to disclose the two female store witnesses' names, or owner details, hindering redress.

## **CAUSES OF ACTION**

### **COUNT I: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

11. Defendant's conduct was extreme, outrageous, and intended to cause severe emotional distress.

12. Plaintiff suffered distress, humiliation, and anxiety requiring medical attention due to his Blood Pressure: 115/97 mmHg (left arm, seated) and a heart rate of 115 beats per minute one full hour after the verbal assault. Note: Systolic (115) is within normal range; diastolic (97) is elevated (normal diastolic: <80 mmHg). Heart Rate: 115 bpm (tachycardia; normal resting rate: 60–100 bpm). Context: Readings were taken after driving home. These diagnostic results attribute to a panic attack triggered by an interaction with the Metro PCS store manager. Medical Evaluation: Elevated diastolic pressure and tachycardia can align with acute stress or panic attacks.

### **COUNT II: DEFAMATION**

13. False accusations (e.g., smelling of urine, animal misconduct) were communicated to witnesses, one identified herself as "Z", harming Plaintiff's reputation.

### **COUNT III: INVASION OF PRIVACY**

14. Defendant unlawfully photographed Plaintiff's license plate, violating reasonable expectation of privacy.

### **COUNT IV: ADA VIOLATIONS**

15. Harassment related to Plaintiff's service animal constitutes discrimination under 42 U.S.C. § 12182.

### **PRAYER FOR RELIEF**

16. The plaintiff respectfully requests that this Court:

- (a) Enter judgment in favor of the Plaintiff and against the Defendant  
for damages in the amount of \$50,000.00 for compensatory damages  
for emotional distress and reputational harm.
- (b) Issue a declaratory judgment that the defendant engaged in illegal willful  
misconduct and award punitive damages in the amount of  
\$100,000.00.
- (c) Injunctive relief mandating ADA training, policy changes, and  
compliance.

(d) Subpoena for store footage (SAPD-2025-0729393) and witnesses' identities.

(e) Award the plaintiff costs and such other relief as the Court deems just and fair.

**JURY DEMAND**

17. Plaintiff demands a trial by jury on all issues so triable.

**VERIFICATION**

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Executed on this 26<sup>th</sup> day of May, 2025.

A handwritten signature in black ink, reading "Matthew Garces", is written over a horizontal line.

*Pro Se Litigant Signature*

Date: 05/26/2025

MATTHEW ANDREW GARCES  
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SAN ANTONIO, TEXAS 78209-5710  
PHONE NUMBER: (210)842-0003  
EMAIL: DRUMMAJORMAC@GMAIL.COM

Metro PCS  
Dt A Name Conf Header 2  
1035 PERRIN BEITEL RD  
SAN ANTONIO TX 78217  
210-646-0485

**SALE**

MID: 5879931  
TID: 002 REF#: 00000005  
DID: 0001  
Batch #: 000660  
05/24/2019 19:34:24  
APPR CODE: 013447  
VISA Chip  
\*\*\*\*\* 0374 \*\*\*

**SALE AMT \$187.00**

**APPROVED \$82.10**  
**AMOUNT DUE \$104.90**

**AVAIL BAL \$0.00**

PARTIAL APPROVAL

VISA DEBIT  
AID: A0000000031010  
TVR: 10 80 00 80 00  
IAD: 00021203A02000  
TSI: 68 00  
ARC: 00

Thank You  
Please Come Again

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